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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>Application Number</b>	10/028,018		
	<b>Filing Date</b>	December 21, 2001	
	<b>First Named Inventor</b>	Mark G. ERLANDER	
	<b>Group Art Unit</b>	1645	
	<b>Examiner Name</b>	To be assigned	
<b>Total Number Of Pages In This Submission</b>	6	<b>Attorney Docket No.</b>	485772004300

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement; PTO form 1449; and 23 references	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<b>Remarks</b>	<p>THIS INFO did not contain the fee Burden Statement Fee Transmittal not attached</p>
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

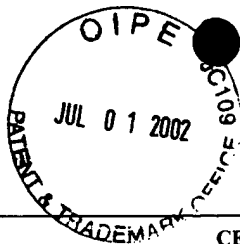
<b>Firm or Individual Name</b>	Kawai Lau Registration No. 44,461
<b>Signature</b>	
<b>Date</b>	June 25, 2002

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on June 27, 2002.

Jose Luna

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PATENT  
Docket No. 485772004300

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

In the application of:

Mark G. ERLANDER, et al.

Serial No.: 10/028,018

Filing Date: December 21, 2001

For: BREAST CANCER PROGRESSION  
SIGNATURES

Examiner: To be assigned

Group Art Unit: 1645

#3  
Plunkett  
10/13/02

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to

charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 485772004300. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 25, 2002

Respectfully submitted,

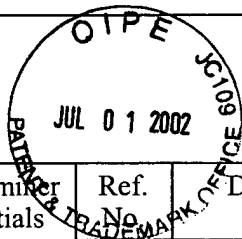
By: \_\_\_\_\_



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<b>Form PTO-1449</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 485772004300	Application Number 10/028,018
	Applicant Mark G. ERLANDER, et al.	
	Filing Date December 21, 2001	Group Art Unit 1645
	Mailing Date June <u>21</u> , 2002	



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JUL 08 2002

### U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	01/1991	4,981,783	Augenlicht	435	6	
	2.	10/2001	10/062,857	Erlander et al.			10/25/01
	3.	06/2001	60/298,847	Erlander et al.			06/15/01
	4.	12/2000	60/257,801	Erlander et al.			12/22/00
	5.	12/2001	6,328,709	Hung et al.	604	74	

### FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

### OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	6.	Alizadeh, et al. "Distinct Types of Diffuse Large B-Cell Lymphoma Identified by Gene Expression Profiling" Nature 403:503-511 (2000)
	7.	Altschul, et al. "Basic Local Alignment Search Tool" J. Mol. Biol. 215:403-410 (1990)
	8.	Bittner, et al. "Molecular Classification of Cutaneous Malignant Melanoma by Gene Expression Profiling" Nature 406:536-540 (2000)
	9.	Brown, et al. "Knowledge Based Analysis of Microarray Gene Expression Data by Using Support Vector Machines" Proc. Natl. Acad. Sci. USA 97(1):262-267 (2000)
	10.	DeRisi, et al. "Use of a cDNA Microarray to Analyse Gene Expression Patterns in Human Cancer" Nature Genetics 14:457-460(1996)
	11.	Furey, et al. "Support Vector Machine Classification and Validation of Cancer Tissue Samples Using Microarray Expression Data" Bioinformatics 16(10):906-914 (2000)
	12.	Garber, et al. "Diversity of Gene Expression in Adenocarcinoma of the Lung" Proc. Natl. Acad. Sci. USA 98(24):13784-13789 (2001)
	13.	Golub, et al. "Molecular Classification of Cancer: Class Discovery and Class Prediction by Gene Expression Monitoring" Science 286:531-537(1999)
	14.	Hedenfalk, et al. "Gene-Expression Profiles in Hereditary Breast Cancer" The New England Journal

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449		Docket Number 485772004300	Application Number 10/028,018
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		Applicant Mark G. ERLANDER, et al.	
		Filing Date December 21, 2001	Group Art Unit 1645
		Mailing Date June 27, 2002	
		JUL 08 2002	
		of Medicine 344(8):539-548 (2001)	
15.	Henderson. "Breast Cancer" <u>Clinical Oncology</u> . Murphy et al. (ed) Atlanta: American Cancer Society; pp.198-219 (1995)	<b>RECEIVED</b> <b>TECHNICAL CENTER 1600/2000</b>	
16.	Mark, et al. "HER-2/neu Gene Amplification in Stages I-IV Breasts Cancer Detected by Fluorescent In Situ Hybridization" <u>Genetics in Medicine</u> 1(3):98-103 (1999)		
17.	Perou, et al. "Distinctive Gene Expression Patterns in Human Mammary Epithelial Cells and Breast Cancers" <u>Proc. Natl. Acad. Sci. USA</u> 96:9212-9217 (1999)		
18.	Perou, et al. "Molecular Portraits of Human Breast Tumours" <u>Nature</u> 406:747-752(2000)		
19.	Sgrio, et al. "In Vivo Gene Expression Profile Analysis of Human Breast Cancer Progression" <u>Cancer Research</u> 59:5656-5661 (1999)		
20.	Sorlie, et al. "Gene Expression Patterns of Breast Carcinomas Distinguish Tumor Subclasses with Clinical Implications" <u>Proc. Natl. Acad. Sci.</u> 98(19):10869-10874 (2001)		
21.	West, et al. "Predicting the Clinical Status of Human Breast Cancer by Using Gene Expression Profiles" <u>Proc. Natl. Acad. Sci.</u> 98(20):11462-11467 (2001)		
22.	Xiong, et al. "Biomarker Identification by Feature Wrappers" <u>Genome Research</u> 11:1878-1887 (2001)		
23.	Yeang, et al. "Molecular Classification of Multiple Tumor Types" <u>Bioinformatics</u> 17(Supp. 1):S316-S322 (2001)		
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